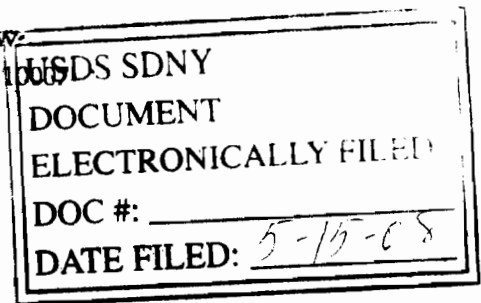


David Abrams, Attorney at Law
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May 14, 2008

To: Hon. Victor Marrero
United States District Court
40 Centre Street
New York, NY 10007

(by fax - 212-805-6382)

Re: Magnoni v. Smith & Laquercia, LLP et al.
Case No. 07 cv 9875 (VM)

Dear Judge Marrero:

This office represents the plaintiff in the above-referenced matter. Pursuant to Your Honor's individual practices and the Local Rules, I am writing to respectfully request Court intervention with respect to a discovery dispute that has arisen in this matter.

By way of background, this matter is an overtime and sexual harassment claim brought by Plaintiff against her former employer.

Defendants have conditioned their document production on execution of a broad confidentiality agreement. However, as Judge Francis stated in Schiller v. City of New York, 2007 U.S. Dist. LEXIS 4285 (S.D.N.Y. Jan. 19, 2000), in the absence of a protective order, "parties to a lawsuit may disseminate materials obtained during discovery as they see fit." Id. at *7. Further, the party seeking a protective order has the burden of showing that good cause exists for issuance of that order. Id.

In this matter, Plaintiff has sought production of, among other things, documents concerning her job duties; documents concerning her wages and hours; documents concerning the Defendants' bills and invoices; internal communications of a sexual nature; and so forth.

I have discussed these issues with Defendant's counsel and in my opinion, he has not yet articulated a compelling reason why such documents should be kept confidential. Most recently, Defendants' counsel has proposed limiting confidentiality to "documents reflecting business matters of a confidential or proprietary nature or documents relating to clients and client matters." While this is a step in the right direction, I respectfully submit that Defendants' most recent proposal is too vague and that in any event, Defendants have not shown good cause.

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Accordingly, I respectfully request the opportunity to seek an Order directing Defendants to produce documents without requiring a confidentiality stipulation.¹

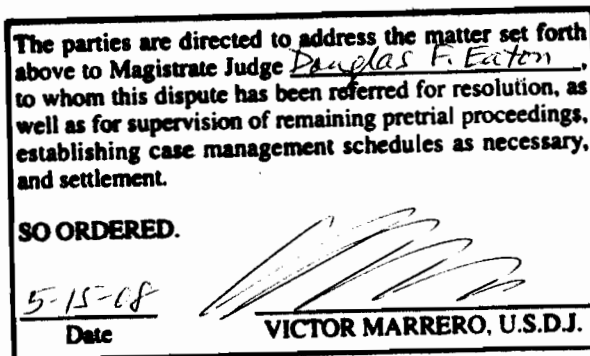
Respectfully yours,



David Abrams

cc: Tom Chase, Esq.

(by facsimile - 212-867-1914)



¹ Defendants have also objected to producing some of the documents requested by Plaintiff. Inasmuch as Plaintiff has not yet had the opportunity to review Defendants' initial production, I would respectfully reserve the right to challenge those objections at a future date.